

Application Serial No.: 09/890,765
Amendment filed on July 7, 2003
Reply to Office Action dated March 7, 2003

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 7-11 are presently active in this case, Claims 8-11 having been amended and Claims 1-6, 12, and 13 having been canceled by way of the present Amendment.

In the outstanding Official Action, Claims 9 and 11 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 9 and 11 have been amended to indicate that the firing holes are provided in the firing lid(s). (See, e.g., page 42, lines 2-5 and 8; page 43, lines 6-7 and 11; and page 45, lines 18-20.) Accordingly, the Applicants request the withdrawal of the indefiniteness rejection.

Claims 7 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by EP 787,630. Claims 7-11 were rejected under 35 U.S.C. 102(b) as being anticipated by Mossi et al. (U.S. Patent No. 6,032,979). For the reasons discussed below, the Applicants traverse the anticipatory rejections.

The present invention relates to a gas generator wherein flames of eccentric squibs are controlled to spout around an axis of a housing. This is clearly shown by the description on page 41, line 25, through page 43, line 11, of the specification. Claim 7 of the present application recites a gas generator configured such that flames of the eccentric squibs are controlled to spout around the axis of the housing. Claim 8 of the present application recites

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a gas generator configured such that firing flames of respective eccentric squibs are controlled to spout around the axis of the housing. The Applicants respectfully submit that such configurations are not disclosed in the cited references.

The EP 787,630 reference describes a hybrid driver side airbag inflator. The specification of the EP 787,630 reference states that "each of these subchambers is provided...to the first chamber 26 in the longitudinal direction." (Column 3, lines 25-56.) According to this recitation, gas produced in each of subchambers exits through a vent port provided at upper wall on the subchambers and flows into a first chamber in the longitudinal direction parallel to the axis, that is, gas flows toward an outer chamber instead of around an axis. The EP 787,630 reference clearly teaches a configuration that is distinct from the features of Claims 7 and 8 where the flames of the eccentric squibs are controlled to spout around the axis of the housing. Accordingly, the Applicants respectfully submit that the EP 787,630 reference does not anticipate Claims 7 and 8.

The Mossi et al. reference describes an airbag inflator that can supply airbag inflation gas in an adaptive output. The Mossi et al. reference describes throughout the specification, for example in column 4, lines 43-56, column 6, lines 46-55 and in the enlarged perspective view of FIG. 3 showing the structure of inner cylinder, that during ignition of the igniter material (60) gas flows radially toward the outside, as indicated by arrows in FIG. 3. The flowing direction of gas is not around an axis of a housing, and therefore the Mossi et al. reference does not anticipate Claims 7 and 8 of the present application.

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Regarding the statement in paragraph 8 on pages 4-5 of the Official Action, the Applicants note that the four references listed either are not prior art references with respect to the present application or fail to disclose all of the limitations recited in the claims of the present application.

Claims 9-11 are considered allowable for the reasons advanced for Claim 8 from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claim 8.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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